

**UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

IN RE:)	CASE NO.: 18-56337-WLH
)	
JASMINE ADIA HEARD)	
)	CHAPTER 13
Debtor.)	

**MOTION TO RECONSIDER ORDER OF DISMISSAL, REINSTATE CASE TO
FULL FORCE AND EFFECT, & RE-NOTICE CONFIRMATION**

Comes now the above Debtor, JASMINE ADIA HEARD, by and through his Attorney, and shows this Honorable Court the following:

1.

This case was filed voluntarily under Chapter 13 of the Bankruptcy Code on April 13, 2018.

2.

The section 341 Meeting of Creditors was held and concluded on May 24, 2018.

3.

Confirmation hearing was originally scheduled for June 27, 2018 but was reset to July 18, 2018. At the July confirmation hearing the case was reset to August 22, 2018 subject to a 10-day status report for Debtor to bring her Plan payments current and provide a copy of her 2017 tax returns.

4.

On August 9, 2018 the Trustee filed a Supplemental Report requesting dismissal for a failure to provide 2017 tax return (Doc. 21). On August 10, 2018 the Court entered an order of dismissal (Doc. 22).

5.

Debtor's counsel had received the 2017 tax returns during the status period and failed to deliver them to the Chapter 13 Trustee as required. The failure to timely provide the 2017 tax returns was of no fault of the Debtor. A copy of the 2017 tax return has now been provided to the Chapter 13 Trustee. Should the Court grant this motion and reopen the case, Debtor's counsel will agree to a reduction in fees.

6.

Debtor filed her case to payoff her furniture and address her other unsecured debts as well. Debtor has proposed a pool of \$4,500.00 to her unsecured creditors. It is in all party's best interest for this case to be reopened and prosecuted.

WHEREFORE, Debtor prays that:

- a) the Order of Dismissal entered on August 10, 2018 be reconsidered and vacated;
- b) the case be reopened;
- c) the automatic stay be reinstated to full force and effect; and
- d) the Confirmation Hearing be Re-noticed.

Respectfully submitted this 15th day of August, 2018

/s/

Howard Slomka
Georgia Bar # 652875
Slipakoff & Slomka, P.C.
Attorney for Debtor
Overlook III
2859 Paces Ferry Rd. SE
Atlanta, GA 30339

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NOTICE OF HEARING

PLEASE TAKE NOTICE that JASMINE ADIA HEARD, has filed a “MOTION TO RECONSIDER ORDER OF DISMISSAL AND REINSTATE CASE TO FULL FORCE AND EFFECT, & RE-NOTICE CONFIRMATION”.

PLEASE TAKE FURTHER NOTICE that the Court will hold a hearing on the Motion to Reconsider Order of Dismissal and Reinstate Case to Full Force and Effect in **Courtroom 1403, United States Courthouse, 75 Ted Turner Drive, SW, Atlanta GA 30303 on August 29, 2018 at 9:30 AM.**

Your rights may be affected by the court’s ruling on these pleadings. You should read these pleadings carefully and discuss them with your attorney, if you have one in this bankruptcy case. (If you do not have an attorney, you may wish to consult one). If you do not want the court to grant the relief sought in these pleadings or if you want the court to consider your view, then you and/or your attorney must attend the hearing. You may also file a written response to the pleadings with the Clerk at the address stated below, but you are not required to do so. If you file a written response, you must attach a certificate stating when, how and on whom (including addresses) you served the response. Mail or deliver your response so that it is received by the Clerk at least two business days before the hearing. The address of the Clerk’s Office is: Clerk, U.S. Bankruptcy Court, Clerk, U. S. Bankruptcy Court, 1340 U.S. Courthouse, 75 Ted Turner Drive, SW, Atlanta, GA 30303. You must also mail a copy of your response to the undersigned at the address stated below.

/s/
Howard Slomka
Georgia Bar # 652875
Slipakoff & Slomka, P.C.
Attorney for Debtor
Overlook III
2859 Paces Ferry Rd. SE
Atlanta, GA 30339

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CERTIFICATE OF SERVICE

This is to certify that I have this day served a copy of the within and foregoing MOTION TO RECONSIDER ORDER OF DISMISSAL AND REINSTATE CASE TO FULL FORCE AND EFFECT and RE-NOTICE CONFIRMATION and NOTICE OF HEARING in the above styled case by depositing same in the United States mail with the adequate postage affixed thereto to insure delivery addressed as follows:

Nancy J. Whaley, Standing Ch. 13 Trustee (served via ECF)
303 Peachtree Center Avenue
Suite 120, Suntrust Garden Plaza
Atlanta, GA 30303

Jasmine Adia Heard
614 Robinson Ave SE
Atlanta, GA 30312

SEE ATTACHED FOR ADDITIONAL CREDITORS

This 15th day of August, 2018

/s/ _____
Howard Slomka
Georgia Bar # 652875
Slipakoff & Slomka, P.C.
Attorney for Debtor
Overlook III
2859 Paces Ferry Rd. SE
Atlanta, GA 30339

Label Matrix for local noticing
113E-1
Case 18-61709-lrc
Northern District of Georgia
Atlanta
Wed Aug 15 10:43:12 EDT 2018

Amsher Collection Svcs
4524 Southlake Pkwy Ste
Hoover, AL 35244-3271

Cba Macon
420 College St
Macon, GA 31201-6707

Commonwealth Financial
245 Main St
Dickson City, PA 18519-1641

Credit One Bank Na
Po Box 98875
Las Vegas, NV 89193-8875

Melissa J. Davey
Melissa J. Davey, Standing Ch 13 Trustee
Suite 200
260 Peachtree Street, NW
Atlanta, GA 30303-1236

Exeter Finance LLC
4515 N Santa Fe Ave. Dept. APS
Oklahoma City, OK 73118-7901

Exeter Finance Llc
Po Box 166097
Irving, TX 75016-6097

First Premier Bank
601 S Minnesota Ave
Sioux Falls, SD 57104-4868

(p)GEORGIA DEPARTMENT OF REVENUE
COMPLIANCE DIVISION
ARCS BANKRUPTCY
1800 CENTURY BLVD NE SUITE 9100
ATLANTA GA 30345-3202

Lawrence Nathaniel Hagan
4350 Stone Mountain Ste 148
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401 W Peachtree Street NW
Atlanta, GA 30308

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200 W Jackson Blvd Ste 2
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803 Watson Blvd
Warner Robins, GA 31093-3400

Santander Consumer Usa
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United States Attorney
Northern District of Georgia
75 Ted Turner Drive SW, Suite 600
Atlanta GA 30303-3309

Us Dept Of Ed/glelsi
Po Box 7860
Madison, WI 53707-7860

The preferred mailing address (p) above has been substituted for the following entity/entities as so specified
by said entity/entities in a Notice of Address filed pursuant to 11 U.S.C. 342(f) and Fed.R.Bank.P. 2002 (g)(4).

Georgia Department of Revenue
1800 Century Blvd
Suite 17200
Atlanta, GA 30345

End of Label Matrix
Mailable recipients 17
Bypassed recipients 0
Total 17